

**Amendment and Response under 37 C.F.R. 1.116**

Applicant: Christian L. Struble

Serial No.: 09/888,350

Filed: June 21, 2001

Docket No.: 10005647-1/H303.203.101

Title: ELECTRONIC DOCUMENT SENDER SYSTEM AND METHOD WITH  
EXTERNAL ADDRESS ACCESS

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**REMARKS**

The following remarks are made in response to the Final Office Action mailed June 28, 2005. Claims 1-24 were rejected. With this Response, claims 1, 3-4, 10, 12, 20, 23 have been amended. Claims 1-24 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102**

In the Office Action, claims 1-2, 10, 12-13, and 19-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lamming et al., U.S. Patent No. 5,862,321 ("Lamming").

Applicant's claim 1 specifies a method of document scanning. The method comprises wirelessly communicating a request, initiated by a mobile computing device, to a scanner to image a paper document into an electronic document and to send the electronic document to a document server identified by the mobile computing device. The method also comprises imaging the paper document with the scanner to produce the electronic document, and sending the electronic document from the scanner, in response to the request, to the identified document server.

First, the cited passage in Lamming does not disclose, wirelessly communicating from a mobile computing device to a scanner a request to image a paper document at the scanner, as claimed by Applicant. Instead, the cited passage at Column 10, lines 22-30 (as well as 14-21) of Lamming discloses that document A has already been scanned and stored in a database accessible by multifunction machine 38 prior to a "tone signal" transmission (and command) from TAB 16, which then causes transmission of document A to fax machine 86. In contrast, in Applicant's claimed method the request precedes the imaging of the document because the imaging of the paper document by the scanner is performed in response to the request by the mobile computing device.

Moreover, Lamming does not disclose that the scanner that sends an electronic document to the document server is the same scanner that receives the request (to image a paper document into an electronic document), in the manner claimed by Applicant. Lamming generally discloses that document A is scanned but apparently does not disclose which components of Lamming's system in the arrangement of Figure 6(e) perform the initial

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scanning of a paper document -- which is further evidence that Lamming does not disclose imaging a paper document in response to a wirelessly communicated request from a mobile computing device, as claimed by Applicant in independent claim 1. Moreover, other embodiments of Lamming primarily focus on wirelessly transmitting a document token (not a document).

Finally, Lamming (as admitted in the Office Action regarding Applicant's independent claim 4) does not teach sending the electronic document from the scanner to a document server identified by the mobile computing device.

For these reasons, Lamming fails to teach or suggest Applicant's independent claim 1. Accordingly, Applicant believes that claim 1 is patentable over Lamming. Claims 2-3 are also believed to be patentable over Lamming based on their dependency from independent claim 1.

For substantially the same reasons as presented for patentability of claim 1, Lamming and/or Browning fail to disclose Applicant's amended independent claim 20 which is directed to a computer readable medium having computer-executable instructions for performing a method of remotely activated scanning -- the method including substantially the same limitations as independent claim 1. For these reasons, Lamming and/or Browning fail to teach or suggest amended independent claim 20, and therefore Applicant's amended independent claim 20 is patentable and allowable over Lamming and/or Browning. Claim 21 is also believed to be allowable based on its dependency from independent claim 20, which is believed to be allowable as previously presented.

Applicant's independent claim 10 specifies a document scanner. The document scanner comprises an imaging mechanism and a communication module. The imaging mechanism is configured for imaging a paper document into an electronic document. The communication module of the scanner is configured for receiving wirelessly an imaging request from a mobile computing device to image the paper document into the electronic document via the imaging mechanism and for sending the electronic document to a document server based on the imaging request.

First, the cited passage in Lamming does not disclose, a scanner configured to wirelessly receive from a mobile computing device an imaging request to image a paper

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document into an electronic document at the scanner, as claimed by Applicant. Instead, the cited passage at Column 10, lines 22-30 (as well as 14-21) of Lamming discloses that document A has already been scanned and stored in a database accessible by multifunction machine 38 prior to a "tone signal" transmission (and command) from TAB 16, which then causes transmission of document A to fax machine 86. In contrast, in Applicant's claim 10 the imaging request (received by the scanner) seeks the imaging of the document and therefore imaging of the paper document is performed after the request is received by the scanner from a mobile computing device.

Moreover, Lamming does not disclose that the scanner that sends an electronic document to a document server is the same scanner that receives the request (to image a paper document into an electronic document), in the manner claimed by Applicant. Lamming generally discloses that document A is scanned but apparently does not disclose which components of Lamming's system in the arrangement of Figure 6(e) perform that scanning - which is further evidence that Lamming does not disclose a scanner configured to wirelessly receive an imaging request to image a paper document (into an electronic document) from a mobile computing device, as claimed by Applicant in independent claim 10. Moreover, other embodiments of Lamming primarily focus on wirelessly transmitting a document token (not a document).

Finally, Lamming (as admitted in the Office Action regarding Applicant's independent claim 4) does not teach sending the electronic document from the scanner to a document server identified by the mobile computing device, and therefore does not disclose Applicant's claim 10 that specifies a scanner with a communications module configured to send an electronic document to a document server based on the imaging request, which was wirelessly received from the mobile computing device.

For these reasons, Lamming fails to teach or suggest Applicant's independent claim 10. Accordingly, Applicant believes that claim 10 is patentable over Lamming. Claims 11-13 are also believed to be patentable over Lamming based on their dependency from independent claim 10.

Applicant's independent claim 19 specifies a wireless document scanning system. The wireless document scanning system comprises a document server, a scanner and a

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mobile computing device. The scanner is configured to image a paper document into an electronic document and has a wireless communication module configured for wirelessly receiving an imaging request and configured for sending the electronic document to the document server. The mobile computing device includes a wireless communication module configured to perform the following tasks: (1) wirelessly sending the imaging request to the scanner; and (2) wirelessly requesting the scanner to send the electronic document to the document server.

For substantially the same reasons presented for the patentability of claims 1 and 10, Lamming fails to disclose Applicant's independent claim 19 directed to a wireless document scanning system.

For these reasons, Lamming fails to teach or suggest Applicant's independent claim 19. Accordingly, Applicant believes that claim 19 is patentable over Lamming.

Accordingly, Applicant respectfully requests that the above 35 U.S.C. § 102(b) rejection to claims 1-2, 10, 12-13, and 19-21 based on Lamming be reconsidered and withdrawn, and that these claims be allowed.

**Claim Rejections under 35 U.S.C. § 103**

In the Office Action, claims 3-9, 14-18, and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamming in view of Browning U.S. Patent No. 6,081,629 ("Browning").

Applicant's independent claim 4 specifies a method of wirelessly activated document transportation. The method comprises wirelessly sending from a mobile computing device to a scanner a request to image a paper document at the scanner. The method also comprises imaging, in response to the request by the mobile computing device, the document with the scanner to produce an electronic document. The electronic document is sent from the scanner to a document server at an electronic address identified by the mobile computing device.

First, the cited passage in Lamming does not disclose, wirelessly sending from a mobile computing device to a scanner a request to image a paper document at the scanner, as claimed by Applicant. Instead, the cited passage at Column 10, lines 22-30 (as well as 14-21) of Lamming discloses that document A has already been scanned and stored in a database

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accessible by multifunction machine 38 prior to a "tone signal" transmission (and command) from TAB 16, which then causes transmission of document A to fax machine 86. In contrast, Applicants claimed method the request precedes the imaging of the document because the imaging of the paper document by the scanner is performed in response to the request by the mobile computing device.

Moreover, Lamming does not disclose that the scanner that sends an electronic document to the document server is the same scanner that receives the request (to image a paper document into an electronic document), as claimed by Applicant. Lamming generally discloses that document A is scanned but apparently does not disclose which components of Lamming's system in the arrangement of Figure 6(e) perform the initial scanning of a paper document - - which is further evidence that Lamming does not disclose imaging a paper document in response to a request from a mobile computing device, as claimed by Applicant in independent claim 4. Moreover, other embodiments of Lamming primarily focus on wirelessly transmitting a document token (not a document).

Browning fails to cure these deficiencies of Lamming.

Second, Lamming (as admitted in the Office Action regarding Applicant's independent claim 4) does not teach sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Browning fails to cure this deficiency of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does not disclose sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from a paper document and then sends that address to a software communications agent (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44.

Therefore, the scanner of Browning does not send the electronic document to a server, but instead merely sends a textual address to a computer or communications device. In

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contrast, in Applicant's claim 4, the scanner sends an electronic document, not an electronic address, to the document server.

Accordingly, with these deficiencies of Lamming and Browning, one cannot combine Lamming and Browning and arrive at Applicant's independent claim 4.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 4. Accordingly, Applicant believes that claim 4 is patentable over Lamming and Browning. Claim 5 is also believed to be patentable over Lamming and Browning, based on its dependency from independent claim 1.

For substantially the same reasons as presented for patentability of claim 4, Lamming and/or Browning fail to disclose Applicant's amended independent claim 23 which is directed to a computer readable medium having computer-executable instructions for performing a method of wirelessly activated document transportation – the method including substantially the same limitations as independent claim 4. For these reasons, Lamming and/or Browning fail to teach or suggest amended independent claim 23, and therefore Applicant's amended independent claim 23 is patentable and allowable over Lamming and/or Browning.

In the Office Action, claim 3 was rejected based on Lamming as disclosing the wireless scanner as discussed above, which apparently refers to the assertions made in the Office Action regarding Applicant's claim 4. Accordingly, for substantially the same reasons as presented for the patentability of Applicant's independent claims 1 and 4 which demonstrates the deficiencies of Lamming beyond the deficiencies admitted in the Office Action, Lamming fails to disclose Applicant's dependent claim 3.

First, dependent claim 3 is believed to be allowable based on its dependency from independent claim 1, which itself is believed to be allowable over Lamming for the reasons previously presented regarding the patentability of claim 1.

In addition, Lamming (as admitted in the Office Action regarding Applicant's claim 3) fails to disclose expressly that the communicating step comprises wirelessly obtaining with the mobile computing device an address of the scanner and a document identifier of the paper document, wirelessly sending from the mobile computing device to the document server an address of the scanner and the document; and querying the scanner with the document server using the scanner address and the document identifier to request the electronic document.

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Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does **not** disclose sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from a paper document and then sends that address to a software communications agent (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44.

Therefore, the scanner of Browning does **not** send the electronic document to a server, as claimed by Applicant, but in fact merely sends a textual address to a computer or communications device.

Accordingly, with these deficiencies of Lamming and Browning, one cannot combine Lamming and Browning and arrive at Applicant's dependent claim 3.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 3. Accordingly, Applicant believes that dependent claim 3 is patentable over Lamming and Browning.

Applicant's independent claim 6 specifies a method of remotely activated scanning. The method comprises: (1) wirelessly sending from the mobile computing device to a document server a scanner address and a document identifier with a request to obtain an electronic document from the scanner; (2) querying the scanner with the document server using the scanner address and the document identifier to request the electronic document; (3) sending the electronic document from the scanner to the document server.

The Office Action applied the reasoning for the rejection of claim 4 to other claims, including claims 6-9. Accordingly, Applicant will respond to the rejection of claim 6 based on the reasoning of the rejection of independent claim 4, except for noting differences between Applicant's independent claim 4 and independent claim 6.

First, for substantially the same reasons as presented for the patentability of Applicant's independent claim 4, which demonstrated the deficiencies of Lamming beyond

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the deficiencies admitted in the Office Action, Lamming fails to disclose Applicant's dependent claim 6.

In addition, as admitted in the Office Action regarding claim 4, Lamming does not teach sending the electronic document from the scanner to a document server [at an electronic address identified by the mobile computing device].

Applicant notes that Applicant's claim 6 specifies the mobile computing device sending a scanner address to a document server to enable the document server to request the electronic document from the scanner, which is a limitation not found in Applicant's claim 4 and therefore not addressed in the rejection of claim 4, which was subsequently applied to claim 6.

Moreover, Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does **not** disclose sending the electronic document from the scanner to a document server [at an electronic address identified by the mobile computing device].

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from a paper document and then sends that address to a software communications agent (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44.

Therefore, the scanner of Browning does **not** send the electronic document to a server, as claimed by Applicant, but in fact merely sends a textual address to a computer or communications device before the electronic document is retrieved by the communications device.

Moreover, in Browning, the scanner initiates the activity regarding obtaining a document by first obtaining a textual address from a paper document. Browning apparently does not address whether or not the scanner itself has an electronic address, and apparently does not address a mobile computing device initiating transfer of a document via a scanner. In Applicant's claim 6, a mobile computing device initiates obtaining the document by making such a request on a scanner via a document server.

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Accordingly, with these deficiencies of Lamming and Browning, one cannot combine Lamming and Browning and arrive at Applicant's independent claim 6.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 6. Accordingly, Applicant believes that claim 6 is patentable over Lamming and Browning. Claims 7-9 are also believed to be patentable over Lamming and Browning based on their dependency from independent claim 6.

For substantially the same reasons as presented for patentability of claim 6, Lamming and/or Browning fail to disclose Applicant's amended independent claim 23 which is directed to a computer readable medium having computer-executable instructions for performing a method of remotely activated scanning – the method including substantially the same limitations as independent claim 6. For these reasons, Lamming and/or Browning fail to teach or suggest amended independent claim 23, and therefore Applicant's amended independent claim 23 is patentable and allowable over Lamming and/or Browning.

Applicant's independent claim 14 specifies a wireless document scanning system. The system comprises a document server, a scanner, and a mobile computing device. The scanner is configured to image a paper document into an electronic document and having a wireless communication module configured for sending the electronic document to the document server. The mobile computing device has a wireless communication module configured for sending a request to the scanner to image the paper document and configured for identifying to the scanner an address of the document server.

The Office Action applied the reasoning for the rejection of claim 4 to other claims, including claims 14-17. Accordingly, Applicant will respond to the rejection of claim 14 based on the rejection of claim 4, except for noting differences between Applicant's claim 14 and independent claim 4.

First, for substantially the same reasons as presented for the patentability of Applicant's independent claims 1, 3-4, and 10, which demonstrated the deficiencies of Lamming beyond the deficiencies admitted in the Office Action, Lamming fails to disclose Applicant's dependent claim 14.

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In addition, as admitted in the Office Action regarding claim 4, Lamming does not teach sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does **not** disclose sending the electronic document from the scanner to a document server [at an electronic address identified by the mobile computing device].

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from a paper document and then sends that address to a software communications agent (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual address to retrieve HTML documents, email messages, etc. from the internet address locations. See Browning at Column 3, lines 25-44.

Therefore, the scanner of Browning does **not** send the electronic document to a server, as claimed by Applicant, but in fact merely sends a textual address to a computer or communications device before the electronic document is retrieved by the communications device.

Moreover, in Browning, the scanner initiates the activity regarding obtaining a document by first obtaining a textual address from a paper document. Browning apparently does not address whether or not the scanner itself has an electronic address, and apparently does not address a mobile computing device initiating transfer of a document. In Applicant's claim 14, a user via a mobile computing device initiates obtaining the document by making such a request on a scanner via a document server.

Accordingly, with these deficiencies of Lamming and Brown, one cannot combine Lamming and Browning and thereby arrive at Applicant's independent claim 14.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 14. Accordingly, Applicant believes that claim 14 is patentable over Lamming and Browning. Claims 15-17 are also believed to be patentable over Lamming and Browning based on their dependency from independent claim 14.

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Applicant's independent claim 18 specifies a wireless document scanning system. The wireless document scanning system comprises a document server, a scanner and a mobile computing device. The scanner is configured to image a paper document into an electronic document and has a wireless communication module configured for wirelessly receiving a request from the document server to obtain the electronic document and configured for sending the electronic document to the document server. The mobile computing device includes a wireless communication module configured to perform the following tasks: (1) wirelessly obtaining from the scanner an address of the scanner and an identifier of the paper document; and (2) wirelessly sending a request to the document server to obtain the electronic document at the scanner address using the document identifier and the scanner address.

The Office Action applied the reasoning for the rejection of claim 4 to other claims, including claim 18. Accordingly, Applicant will respond to the rejection of claim 18 based on the rejection of claim 4, except for noting differences between Applicant's claim 18 and independent claim 4.

First, for substantially the same reasons as presented for the patentability of Applicant's independent claims 1, 3-4, 10, and 14 which demonstrated the deficiencies of Lamming beyond the deficiencies admitted in the Office Action, Lamming fails to disclose Applicant's dependent claim 18.

In addition, as admitted in the Office Action regarding claim 4, Lamming does not teach sending the electronic document from the scanner to a document server at an electronic address identified by the mobile computing device.

Browning fails to cure the deficiencies of Lamming. Contrary to the assertion in the Office Action (based on passages at Column 4, lines 3-14, 42-51), Browning does **not** disclose sending the electronic document from the scanner to a document server [at an electronic address identified by the mobile computing device].

Instead, Browning discloses that a handheld scanner scans character data (i.e., a textual address) from a paper document and then sends that address to a software communications agent (associated with a communications device such as a personal computer, network computer . . . or other communications device,) which uses the textual

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address to retrieve HTML documents, email messages, etc., from the internet address locations. See Browning at Column 3, lines 25-44.

Therefore, the scanner of Browning does not send the electronic document to a server, but in fact merely sends a textual address to a computer or communications device before the electronic document is retrieved by the communications device. In contrast, the scanner in Applicant's independent claim 18 is configured to send the actual electronic document (not just a document identifier) to the document server.

Moreover, in Browning, the scanner initiates the activity regarding obtaining a document by first obtaining a textual address from a paper document. Browning apparently does not address whether or not the scanner itself has an electronic address, and apparently does not address an instance of a mobile computing device initiating transfer of a document. In Applicant's claim 18, a user via a mobile computing device initiates obtaining the document by making such a request on a scanner via a document server ("wirelessly sending a request to the document server to obtain the electronic document at the scanner address using the document identifier and the scanner address").

Accordingly, with these deficiencies of Lamming and Browning, one cannot combine Lamming and Browning and arrive at Applicant's independent claim 18.

For these reasons, Lamming and Browning fail to teach or suggest Applicant's independent claim 18. Accordingly, Applicant believes that claim 18 is patentable over Lamming and Browning.

Accordingly, Applicant respectfully requests that the above 35 U.S.C. § 103 rejection to claims 3-9, 14-18, and 22-24 based on Lamming and Browning be reconsidered and withdrawn, and that these claims be allowed.

**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-24 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-24 is respectfully requested.

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No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Paul S. Grunzweig at Telephone No. (612) 767-2504, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

**Hewlett-Packard Company**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Christian L. Struble,

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Date: August 2, 2005

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of August, 2005.

By

Paul S. Grunzweig  
Name: Paul S. Grunzweig